

UNITED STATES BANKRUPTCY COURT

WESTERN DISTRICT OF NEW YORK

In re: PAUL D PAYNE
TRACY M PAYNE
Debtor(s)

Case No.: 09-21039

CHAPTER 13 STANDING TRUSTEE'S FINAL REPORT AND ACCOUNT

George M. Reiber, chapter 13 trustee, submits the following Final Report and Account of the administration of the estate pursuant to 11 U.S.C. Section 1302(b)(1). The trustee declares as follows:

- 1) The case was filed on 04/22/2009.
- 2) The plan was confirmed on 01/29/2010.
- 3) The plan was modified by order after confirmation pursuant to 11 U.S.C Section 1329 on 06/29/2010.
- 4) The trustee filed action to remedy default by the debtor in performance under the plan on NA.
- 5) The case was completed on 05/18/2011.
- 6) Number of months from filing or conversion to last payment: 25.
- 7) Number of months case was pending: 27.
- 8) Total value of assets abandoned by court order: NA.
- 9) Total value of assets exempted: 39,090.00.
- 10) Amount of unsecured claims discharged without full payment: 51,525.02.
- 11) All checks distributed by the trustee relating to this case have cleared the bank.

Receipts:

| | |
|---|-------------|
| Total paid by or on behalf of the debtor: | \$21,351.14 |
| Less amount refunded to debtor: | \$117.23 |

| | |
|----------------------|-------------|
| NET RECEIPTS: | \$21,233.91 |
|----------------------|-------------|

Expenses of Administration:

| | |
|--|------------|
| Attorney's Fees Paid Through The Plan: | \$2,100.00 |
| Court Costs: | \$.00 |
| Trustee Expenses and Compensation: | \$1,210.56 |
| Other: | \$.00 |

| | |
|--|------------|
| TOTAL EXPENSES OF ADMINISTRATION: | \$3,310.56 |
|--|------------|

| | |
|---|------------|
| Attorney fees paid and disclosed by debtor: | \$1,350.00 |
|---|------------|

Scheduled Creditors:

| <u>Creditor Name</u> | <u>Class</u> | <u>Claim Scheduled</u> | <u>Claim Asserted</u> | <u>Claim Allowed</u> | <u>Principal Paid</u> | <u>Interest Paid</u> |
|---------------------------------|--------------|------------------------|-----------------------|----------------------|-----------------------|----------------------|
| ALLIED INTERSTATE INC | Unsecured | NA | NA | NA | .00 | .00 |
| BASS & ASSOCIATES PC | Secured | 4,300.00 | 2,500.00 | 2,500.00 | 2,500.00 | 133.14 |
| BENEFICIAL HOMEOWNER SERVICE CO | Secured | 14,500.00 | 14,418.73 | .00 | .00 | .00 |
| CANDICA, L.L.C. | Unsecured | 3,640.60 | 4,006.79 | 4,006.79 | 1,085.06 | .00 |
| CANDICA, L.L.C. | Unsecured | 8,200.28 | 8,740.29 | 8,740.29 | 2,366.91 | .00 |
| CAPITAL ONE | Unsecured | NA | NA | NA | .00 | .00 |
| CHASE BANK USA, N.A. | Unsecured | 2,510.94 | 2,565.31 | 2,565.31 | 694.70 | .00 |
| CHASE BANK USA, N.A. | Unsecured | 4,777.11 | 4,881.54 | 4,881.54 | 1,321.95 | .00 |
| CITIBANK/CHOICE | Unsecured | NA | NA | NA | .00 | .00 |
| CITIFINANCIAL | Unsecured | 7,956.07 | 7,669.73 | 7,669.73 | 2,076.45 | .00 |
| CORNING APPLIANCE CORP | Unsecured | NA | NA | NA | .00 | .00 |
| ECAST SETTLEMENT CORPORATION | Unsecured | 9,330.00 | 9,562.65 | 9,562.65 | 2,187.22 | .00 |
| HSBC BANK NEVADA, NA | Unsecured | NA | NA | NA | .00 | .00 |
| HSBC CARD SERVICES | Unsecured | 1,876.69 | NA | NA | .00 | .00 |
| HSBC CARD SERVICES | Unsecured | NA | NA | NA | .00 | .00 |

Case 2:09-21039-JCN Doc 61 Filed 08/04/11 Entered 08/04/11 13:33:20 Desc

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| <u>Creditor Name</u> | <u>Class</u> | <u>Claim Scheduled</u> | <u>Claim Asserted</u> | <u>Claim Allowed</u> | <u>Principal Paid</u> | <u>Interest Paid</u> |
|--------------------------------|--------------|------------------------|-----------------------|----------------------|-----------------------|----------------------|
| JEFFERSON CAPITAL SYSTEMS, LLC | Unsecured | 2,611.20 | 2,849.57 | 2,849.57 | 771.68 | .00 |
| JUNIPER BANK/CARD SERVICES | Unsecured | 900.00 | NA | NA | .00 | .00 |
| PHH MORTGAGE CORP | Unsecured | NA | .00 | .00 | .00 | .00 |
| PHH MORTGAGE CORPORATION | Secured | 41,850.00 | 41,647.47 | .00 | .00 | .00 |
| PORTFOLIO RECOVERY ASSOCIATES | Unsecured | 1,920.33 | 1,920.33 | 1,920.33 | 520.04 | .00 |
| PORTFOLIO RECOVERY ASSOCIATES | Unsecured | 2,475.44 | 2,566.31 | 2,566.31 | 694.97 | .00 |
| PORTFOLIO RECOVERY ASSOCIATES | Unsecured | 4,055.91 | 4,263.10 | 4,263.10 | 1,154.47 | .00 |
| SANTANDER CONSUMER USA INC. | Unsecured | NA | NA | NA | .00 | .00 |
| SEARS CREDIT CARDS | Unsecured | 3,773.15 | NA | NA | .00 | .00 |
| SEARS PAYMENT CENTER | Unsecured | NA | NA | NA | .00 | .00 |
| THE BUREAUS INC. | Unsecured | NA | 2,645.62 | 2,645.62 | 716.45 | .00 |
| WELTMAN, WEINBERG & REIS | Unsecured | 6,300.00 | 6,278.72 | 6,278.72 | 1,700.31 | .00 |

Summary of Disbursements to Creditors:**Secured Payments:**

| | <u>Claim Allowed</u> | <u>Principal Paid</u> | <u>Interest Paid</u> |
|--------------------------|----------------------|-----------------------|----------------------|
| Mortgage Ongoing: | .00 | .00 | .00 |
| Mortgage Arrearage: | .00 | .00 | .00 |
| Debt Secured by Vehicle: | .00 | .00 | .00 |
| All Other Secured: | 2,500.00 | 2,500.00 | 133.14 |
| TOTAL SECURED: | 2,500.00 | 2,500.00 | 133.14 |

Priority Unsecured Payments:

| | | | |
|-----------------------------|-----|-----|-----|
| Domestic Support Arrearage: | .00 | .00 | .00 |
| Domestic Support Ongoing: | .00 | .00 | .00 |
| All Other Priority: | .00 | .00 | .00 |
| TOTAL PRIORITY: | .00 | .00 | .00 |

GENERAL UNSECURED PAYMENTS:

57,949.96 15,290.21 .00

Disbursements:

| | | | |
|-----------------------------|-------------|--|-------------|
| Expenses of Administration: | \$3,310.56 | | |
| Disbursements to Creditors: | \$17,923.35 | | |
| TOTAL DISBURSEMENTS: | | | \$21,233.91 |

12) The trustee certifies that, pursuant to Federal Rule of Bankruptcy Procedure 5009, the estate has been fully administered, the foregoing summary is true and complete, and all administrative matters for which the trustee is responsible have been completed. The trustee requests a final decree be entered that discharges the trustee and grants such other relief as may be just and proper.

Date: 07/15/2011

By: /s/George M. Reiber

Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. Section 1320.4(a)(2) applies.